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**DIAMOND MCCARTHY LLP**

909 Fannin, Suite 1500  
Houston, Texas 77010  
Telephone (713) 333-5100  
Facsimile (713) 333-5199

Allan B. Diamond, TX State Bar No. 05801800  
Email: adiamond@diamondmccarthy.com  
Eric D. Madden, TX State Bar No. 24013079  
Email: emadden@diamondmccarthy.com

Special Litigation Counsel for USACM Liquidating Trust

**LEWIS AND ROCA LLP**

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Telephone (702) 949-8320  
Facsimile (702) 949-8321

Susan M. Freeman, AZ State Bar No. 004199  
Email: sfreeman@lrlaw.com  
Rob Charles, NV State Bar No. 006593  
Email: rcharles@lrlaw.com

Counsel for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF WITHDRAWAL OF  
SUBPOENAS ISSUED TO BRETT  
SEABERT AND KREG ROWE**

[No hearing required]

On May 4, 2007, the USACM Liquidating Trust (the "Trust") issued Subpoenas for Rule 2004 Examinations to Brett Seabert and Kreg Rowe (the "Subpoenas"). Kaaran Thomas, counsel for Mr. Seabert and Mr. Rowe accepted service of the Subpoenas.

The Trust hereby withdraws the Subpoenas.

1 In withdrawing these Subpoenas, the Trust does not waive the right to file a later  
2 Motion for 2004 Examination seeking information from Mr. Seabert and/or Mr. Rowe if it  
3 should become necessary.  
4

5 Dated: May 29, 2007.

6 **DIAMOND MCCARTHY LLP**

7 By: /s/ Eric D. Madden  
8 Allan B. Diamond, TX 05801800 (pro hac vice)  
9 William T. Reid, IV, TX 00788817 (pro hac vice)  
Eric D. Madden, TX 24013079 (pro hac vice)  
10 909 Fannin, Suite 1500  
Houston, Texas 77010  
11 (713) 333-5100 (telephone)  
(713) 333-5199 (facsimile)

12 *Special Litigation Counsel for*  
13 *USACM Liquidating Trust*

**LEWIS AND ROCA LLP**

By: /s/ Rob Charles  
Susan M. Freeman, AZ 4199 (pro hac vice)  
Rob Charles, NV 6593  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169-5996  
(702) 949-8320 (telephone)  
(702) 949-8321 (facsimile)

*Counsel for USACM Liquidating Trust*